



AF/1600 AA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LI *et al.*

Appl. No.: 09/856,561

Filed: December 5, 2001

For: *Thlaspi caerulescens* Subspecies for
Cadmium and Zinc Recovery

Confirmation No.: 3573

Art Unit: 1638

Examiner: Ibrahim, Medina Ahmed

Atty. Docket: 1797.0160001/RWE/CJW

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Large Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:


Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated December 23, 2003, in which claims 1-5, 7-9, 11-13, 16 and 17 were finally or twice rejected.

The fee (for a large entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included on PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: March 16, 2004

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